

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/ (954) 797-1101

Prepared by: Philip Bachers, Planner I

**SUBJECT:** TU 9-7-05 / 05-600 / Luke's Place, 3558 S. University Dr., Davie, 33328

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:** Temporary Use Permit for a special promotion at Luke's Place for November 6, 2005

**REPORT IN BRIEF:** The applicant (Luke's Place) is requesting an approval for a "special promotion: Veteran's Day-food, live entertainment, and vendors." Luke's Place is located in the "University Plaza," generally located on the east side of University Drive between S.W. 30<sup>th</sup> and S.W. 35<sup>th</sup> Streets. The proposed food service, live entertainment, and vendors will take place along the southern side of the shopping center, in front of Luke's Place. Live entertainment will be staged on the open deck at the front of the restaurant. Automobile traffic to and from the event is via University Drive and S.W. 35<sup>th</sup> Street. For safety precautions, automobile traffic and the pedestrian/vendors will be separated with traffic cones. In addition, the applicant is required by the Town of Davie Police Department to provide at least two (2) off-duty police officers to work for the duration of the event. The Davie Fire Rescue Department will have a Battalion Chief do an inspection the day of the event to ensure that there is not overcrowding inside the building and that if there is an over-capacity crowd, a Fire Inspector will be called in at a minimum of 4 hours overtime to ensure compliance with the Town Codes/Ordinances. Vehicle parking for the show will be provided on the "University Plaza" existing center parking lot. The applicant has obtained approval, in writing, from adjacent tenants and the owner of the "University Plaza" to use the shopping center's parking lot for the special promotion. A satisfactory site plan accurately depicting all details of the request has been reviewed by the Development Review Committee (DRC) and is attached.

**DURATION OF EVENT:** The duration of the request is Sunday, November 6, 2005 from 12:00 p.m. to 5:00 p.m.

Section 12-319 of the Land Development Code requires that three (3) criteria be met for temporary use permits:

- (1) Any nuisance or hazardous features involved is suitably separated from adjacent uses;
- (2) Excessive vehicular traffic will not be generated on minor residential streets; and,

- (3) A vehicular parking problem will not be created.

Staff finds that Luke's Place "special promotion-Veteran's Day" will be suitably separated from adjacent uses, there will be no excessive traffic generated on minor residential streets, and a vehicle-parking problem is not anticipated. In addition, the following conditions apply:

- (1) **Any temporary use authorized by Town Council shall be approved and accepted as to all terms and conditions by the applicant in writing within ten (10) days of the date such temporary use is authorized.** The applicant shall file such authorization with the Development Services Department.
- (2) Provide proper traffic control devices, such as barricades or cones, around the pedestrian/show area.
- (3) The permit shall be valid only for the time specific on November 6, 2005 from 12:00 p.m. to 5:00 p.m.
- (4) Provide a notarized letter or original copy of the D.P.D. contract stating two off-duty Davie police officers will be present for the duration of this show. (original document from D.P.D. to be placed in file)
- (5) Provide a notarized letter or original copy of the D.F.R.D. contract stating that if an on-site inspection during the event by the Davie Fire Rescue Battalion Chief shows occupancy within Luke's Place in excess of the legal capacity allowed, the business owner will be required to pay for a fire inspector (minimum 4 hours overtime). (original document from D.F.R.D. placed in file)

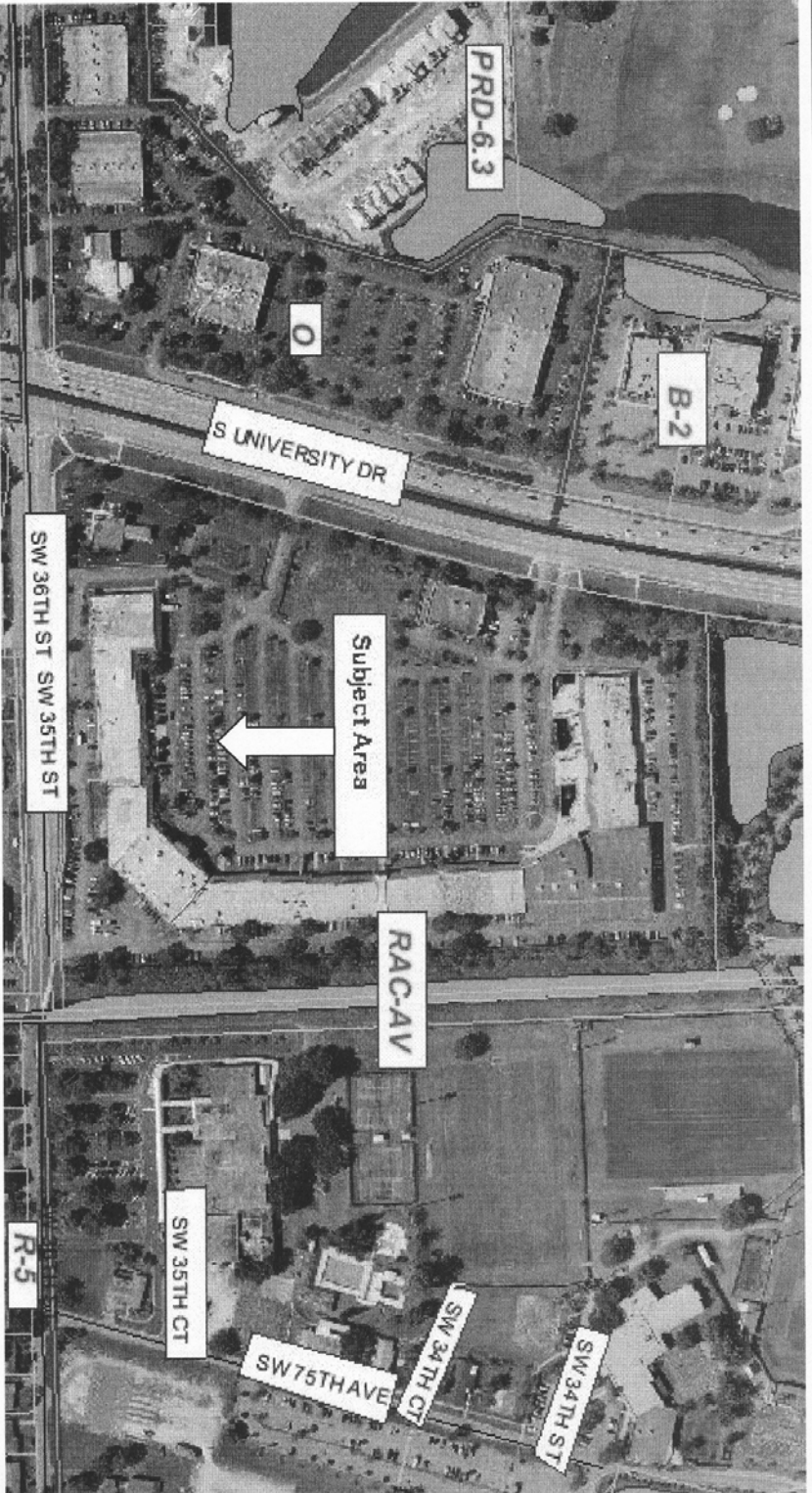
**PREVIOUS ACTIONS:** None

**CONCURRENCES:** The Development Review Committee has reviewed the application and has no objections to the request, as long as the previously-listed requirements are performed. Davie Police Department and Davie Fire Rescue have provided to staff copies of the agreed-upon off-duty officer details (D.P.D.) or on-site inspections (D.F.R.D.) scheduled for the event.

**FISCAL IMPACT:** None

**RECOMMENDATION(S):** The application is found sufficient, based upon the above, to enable Town Council to render a decision.

**Attachment(s):** Subject site map, Site plan.



Scale: N.T.S.

**The Town of Davie**  
Development Services Department  
Planning and Zoning Division

Prepared By: P.B. Date: 10-4-05



**Temporary Use Application**  
TU 9-7-05, Luke's Place  
Sunday, Nov. 6, 2005, noon to 5 PM  
Aerial, Zoning, Subject Site Map

TU 9-7-05 Temporary Use Application for Veteran's Day special promotion at Luke's Place restaurant/lounge, 3558 S. University Dr. on November 6, 2005 from noon to 5 PM.

*\*note: traffic cones will be manned and five lane maintain*

